

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

SECOND REGULAR SESSION-2014

Legislative Document

No. 1784

S.P. 710

In Senate, February 18, 2014

An Act To Reform Regulation of Consumer-owned Water Utilities

Reported by Senator CLEVELAND of Androscoggin for the Joint Standing Committee on Energy, Utilities and Technology pursuant to Resolve 2013, chapter 47, section 1.

Reference to the Committee on Energy, Utilities and Technology suggested and ordered printed pursuant to Joint Rule 218.

A handwritten signature in black ink, appearing to read "D M Grant", is positioned above the printed name of the Secretary of the Senate.

DAREK M. GRANT
Secretary of the Senate

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 35-A MRSA §6114** is enacted to read:

3 **§6114. Waiver of requirements**

4 The commission may grant exemptions from all or specified portions of this Title to
5 individual consumer-owned water utilities or a class of consumer-owned water utilities,
6 as defined in section 6101, subsection 1-A. An exemption granted under this section
7 must be granted pursuant to standards and procedures adopted by the commission by rule
8 and must be accompanied by specific findings that the exemption is in the public interest
9 and will not result in unjust or unreasonable rates or have a negative impact on the
10 provision of safe, adequate and reliable service. In waiving any function or requirement,
11 the commission shall make specific findings that the consumer-owned water utility has
12 adequate technical, financial and administrative capacity to perform the waived function
13 or requirement. The commission may limit an exemption to specific geographic areas. A
14 consumer-owned water utility granted an exemption under this section remains subject to
15 section 301, subsections 1 to 3 and section 6109.

16 For good cause, as defined by the commission by rule, the commission may revoke
17 any exemption granted under this section. A revocation may be in whole or in part and
18 may be specific to individual entities or services.

19 Rules adopted pursuant to this section are routine technical rules as defined in Title 5,
20 chapter 375, subchapter 2-A.

21 **SUMMARY**

22 This bill is reported out by the Joint Standing Committee on Energy, Utilities and
23 Technology pursuant to Resolve 2013, chapter 47, section 1. As required by the resolve,
24 the Public Utilities Commission submitted to the committee its plan to reform the
25 regulation of consumer-owned water utilities on January 30, 2014, including the
26 necessary changes to law to implement its plan. This bill incorporates the changes to law
27 that the commission has indicated are necessary to implement its plan.

28 The committee has not taken a position on the substance of the plan or this bill and by
29 reporting this bill out the committee is not suggesting and does not intend to suggest that
30 it agrees or disagrees with any aspect of the commission's plan or this bill. The
31 committee is reporting the bill out for the sole purpose of turning the commission's
32 proposal into a printed bill that can be referred to the committee for an appropriate public
33 hearing and subsequent processing in the normal course. The committee is taking this
34 action to ensure clarity and transparency in the legislative review of the commission's
35 proposal.